

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

USDC SDNY
DOCUMENT
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INFORMATION

- v. -	:	S1 08 Cr. 292 (SHS)
JOSE GALAN,	:	
a/k/a "Lyndon,"	:	
	:	
Defendant.	:	
	:	
- - - - -	x	

COUNT ONE

The United States Attorney charges:

1. On or about January 31, 2008, in the Southern District of New York, JOSE A. GALAN, a/k/a "Lyndon," the defendant, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base (in a form commonly known as "crack").

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).)

COUNT TWO

The United States Attorney further charges:

2. On or about January 31, 2008, in the Southern District of New York, JOSE A. GALAN, a/k/a "Lyndon," the defendant, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to

wit, mixtures and substances containing a detectable amount of cocaine.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT THREE

The United States Attorney charges:

3. From at least in or about 2006 through on or about January 31, 2008, in the Southern District of New York and elsewhere, JOSE A. GALAN, a/k/a "Lyndon," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

4. It was a part and an object of the conspiracy that JOSE A. GALAN, a/k/a "Lyndon," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base (in a form commonly known as "crack"), in violation of Title 21, United States Codes, Sections 812, 841(a)(1), and 841(b)(1)(A).

5. It was a further part and an object of the conspiracy that JOSE A. GALAN, a/k/a "Lyndon," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 5

kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Codes, Sections 812, 841(a)(1), and 841(b)(1)(A).

6. It was a further part and an object of the conspiracy that JOSE A. GALAN, a/k/a "Lyndon," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Codes, Sections 812, 841(a)(1), and 841(b)(1)(B).

(Title 21, United States Code, Section 846)

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FORFEITURE ALLEGATION

7. As a result of committing one or more of the controlled substance offenses alleged in Counts One through Three of this ^{Information} Indictment, JOSE A. GALAN, a/k/a "Lyndon," the defendant, ^{Information} MDM shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One through Three of this ^{Information} Indictment.

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8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE GALAN, a/k/a "Lyndon,"

Defendant.

INDICTMENT

08 Cr.

(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(A), 841(b)(1)(C), and 846)

MICHAEL J. GARCIA
United States Attorney.

July 3, 2008
Filed Waiver of Indictment and Superseded Information
in SI 08 CR 292(SHS). Filed Consent To Proceed Before a
USMJ on a Felony Plea Allocation Deft pres-n/patty:
David Weinstein. AVST: Michael Mainan, Spanish Interp
& Ct. Repr. present. Deft. pleads guilty as charged in SI 08 CR 292
SHS. Judge Freeman recommends that Judge Stein accept
the proffered plea to CTS 1-3 of the information filed
in SI 08 CR 292(SHS). PSI ordered. Sentence 10/17/08.
Deft. could detained.

Freeman, USMJ